

III. Remarks

Reconsideration of this application is respectfully requested in light of the above amendments and the following remarks.

A. Interview Summary

Applicants provide the following written statement regarding the substance of the telephonic interview conducted on January 14, 2008 among Examiner Araj and attorney for Applicants Richard Wells. The interview focused on the pending independent claims and the applicability of the U.S. Patent No. 5,683,389 (Orsak) to the patentability of the pending independent claims, namely claims 1, 13, 19, 29, 30, 31 and 34. Specifically, Applicants explained the differences between the teachings of Orsak and the subject matter of the independent claims. Additional details are provided in the amendment, included herewith, and are adopted herein by reference.

B. Drawing and Claim Objections

Regarding the objection to the drawings, Applicants previously had amended the specification to delete reference to reference numeral 75. Pursuant to the interview, it is Applicants' understanding that this amendment overcomes the drawing objections. Moreover, claims 1-18 and 29-33 were rejected under § 112 for failing to comply with the written description requirement. Applicants have deleted the objectionable phrase from the cited claims, thus rendering this rejection moot.

C. Claim Rejections

Claims 1, 3-34 and 37 were rejected in the Office Action for being anticipated by Orsak. While Applicants do not agree with the characterization of Orsak's teaching in the Office Action, Applicants have amended independent claims 1, 13, 19, 29, 30, 31 and 34 to expedite the allowance of claims 1-34 and 37. In particular, Applicants have amended the claims to clarify the claimed clamp assembly and to describe how the connector rod extends in the radial to ulnar direction. As stated by the Examiner in the Interview Summary mailed on January 23, 2008, such amendments overcome the art of record, including the Orsak reference. Appropriate

amendments to the dependent claims have also been made to accommodate the amendments made to the independent claims. Dependent claims 38 and 39 have been added.

D. Conclusion

In view of the amendments made herein, Applicants respectfully submit that claims 1-8, 10-15, 17-19, 21-34 and 37-39 are now in condition for allowance. An early formal notice of allowance of claims is requested.

The Commissioner is hereby authorized to deduct \$930 to cover the fees associated with a one-month extension of time and the Request for Continued Examination. If any additional fees are required to complete this filing, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 13-0480, Attorney Docket No. 24179785.010031US.

If the Examiner has any questions regarding this Amendment and Response to Office Action or the Application in general, Examiner is invited to contact the Applicants' attorney at the below-listed telephone number.

Respectfully submitted,

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/Richard V. Wells/

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